

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Johannes COY

Confirmation No.: 6538

Application No.: 10/511,813

Examiner: Aeder, Sean E.

Filed: October 19, 2004

Group Art Unit: 1642

For: COMPOSITIONS AND METHODS FOR DETECTION AND TREATMENT OF
PROLIFERATIVE ABNORMALITIES ASSOCIATED WITH OVEREXPRESSION
OF HUMAN TRANSKETOLASE LIKE-1 GENE

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicant hereby notifies the U.S. Patent Office of the document which is listed on the attached Form PTO/SB/08B. A copy of the cited reference is also being provided.

Applicant submits that the present invention is patentable over the cited reference. Submission of the listed document is not intended as an admission that such document constitutes prior art against the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed document as a competent reference against the present application.

Applicant respectfully requests that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08B be returned in accordance with MPEP §609.

As this Information Disclosure Statement is being submitted after the mailing of the first Office Action on the merits, the Commissioner for Patents is hereby authorized to charge the fee in the amount of \$180.00 as required by 37 C.F.R. 1.17(p), as well as any underpayment in fees, to Deposit Account No. 50-0951.

Respectfully submitted,

AKERMAN SENTERFITT

Date: 2-9-07

Blair Lanier
Blair Lanier, Registration No. 56,910
P. O. Box 3188
West Palm Beach, FL 33402-3188
Tel: 561-653-5000

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

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| Application Number | 10/511,813 |
| Filing Date | October 19, 2004 |
| First Named Inventor | Johannes COY |
| Art Unit | 1642 |
| Examiner Name | Sean E. Aeder |
| Attorney Docket Number | 4007-008 |

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|-----------------------|---|----------------|
| | 1 | LANGBEIN, et al; "Expression of Transketolase TKTL1 Predicts Colon and Urothelial Cancer Patient Survival: Werburg Effect Reinterpreted"; British Journal of Cancer, 2006; 94(4); pp: 578-585 | |
| | 2 | COY, J, et al; "Molecular Cloning of Tissue-Specific Transcripts of a Transketolase-Related Gene: Implications for the Evaluation of New Vertebrate Genes"; Genomics; Vol. 32; No. 3; pp: 309-316; 1996 | |
| | 3 | CASCANTE, M., et al; "Role of Thiamin (Vitamin B-1) and Transketolase in Tumor Cell Proliferation"; Nutrition and Cancer; Vol. 36, No. 2; 2000; pp: 150-154 | |
| | 4 | SPENTZOS, et al; "Transketolase Gene Expression May Be a marker of Sensitivity to Platinum/Paclitaxel Chemotherapy in Ovarian Cancer"; Proceedings of the American Association for Cancer Research Annual Meeting; Vol. 43; March 2002; pp: 1105-1106 | |
| | 5 | LYNCH, H, et al; "Hereditary Cancer: Family History, Diagnosis, Molecular Genetics, Ecogenetics, and Management Strategies"; Biochemie; Vol. 84; No. 1; January 2002; pp: 3-17 | |
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| Examiner Signature | Date Considered |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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